

### REMARKS

Claims 2-7 and 10-15 are pending; and of these, claims 4-7, and 10-15 have been amended, and claims 2-3 have been canceled. Thus, claims 4-7 and 10-15 are presented for examination. Reconsideration of the instant application is respectfully requested in view of this Paper.

The Examiner has objected to the specification, abstract and claims on the basis of the assertion that they are not in proper idiomatic English. As shown herein, Applicants have amended each of the aforementioned in a manner which is believed to address the Examiner's objection; thus, it is respectfully requested that the objection be withdrawn.

In consideration of the above, Applicants submit herewith a substitute specification and abstract wherein amendments are effected. Also accompanying this amendment is a reproduction of the current specification and abstract with markings indicating the amendments effected in the substitute specification in accordance with MPEP §608.01(q) and 37 CFR 1.125(b). No new matter is added. Entry of the substitute specification and abstract is respectfully requested.

The Examiner has rejected claim 11 under 35 USC 101 on the basis of the assertion that the invention of the game program recited therein is directed to non-statutory subject matter.

In this regard, Applicants have amended claim 11 to recite an associated game program; thus, it is respectfully requested that the rejection be withdrawn. Claim 16 is new and recites an associated computer-readable medium; Applicants respectfully submit that such claim is supported by Applicants' specification.

Applicants have amended Applicants' claim 13 to recite Applicants' game machine so as to comprise a slit into which [the] electronic storage medium is inserted, and a drawing out restricting means which restricts drawing out of [the] electronic money storage medium during a period from when [the] electronic money storage medium is inserted into [the] slit to when said game is terminated and which permits drawing out of [the] electronic money storage medium. In this way, Applicants have further clarified Applicants' construction to include the features of Applicants' claim 3, now canceled. Applicants' claims 10 and 11 have been similarly amended; thus, with respect to Applicants' claims, as amended, the Examiner's rejection is respectfully traversed.

Nowhere in Lucero is there any teaching or suggestion of Applicants' construction as recited in Applicants' claims in which the above-mentioned features are provided.

This is particularly the case since Lucero fails to teach or suggest Applicants' recited electronic money storage medium, and therefore, likewise fails to teach or suggest Applicants' recited slit and drawing out restricting means. Rather, Lucero discusses only the use of general purpose credit or charge cards as a way to obtain credit during gaming. Because the discussed credit and charge cards are general in form, they constitute merely authentication means which allow the obtaining of credit. Such authorization includes verification of certain information, including identification of the gaming machine and associated establishment where it is deemed appropriate to provide such credit. Column 5, lines 7-33. Also included as another aspect of mere authorization of use of the card and of the card user is the need for entry of a PIN. That is, the discussed cards in Lucero do not themselves contain, symbolize or in any way represent money.

At page five (5) of the Office Action, the Examiner has asserted that the PIN of Lucero equates to Applicants' drawing out restricting means. Applicants respectfully submit that this is not the case.

As provided by Lucero at column seven (7), lines 49-64, its PIN, and the entry thereof, merely represent a prerequisite to the opportunity to select and enter an amount of playing credit at its gaming machine. Even more, the aforementioned PIN and use thereof are interim aspects of the aforementioned

opportunity. Initial authentication of the card and user location must first occur at Lucero's gaming machine by feeding the general purpose card to the gaming machine, and only thereafter is there an opportunity to enter a PIN which is then followed by the opportunity to even select a gaming amount. Thus, Lucero discusses at least a three step "credit withdrawal" process at the end of which there is still no money contained on its card.

The electronic money storage medium of Applicants' invention is itself electronic money. It is not a general purpose card which is a means merely to obtain credit authorization. As such, the risk of loss or theft of such money as provided by Applicants' medium is of import, especially when used at a gaming machine.

Accordingly, Applicants' invention, as recited in Applicants' claims, as amended, provides for Applicants' drawing out restricting means. Such means physically retains Applicants' electronic money storage medium during use at Applicants' game system in order to safeguard against concerns including loss or theft of such electronic money storage medium, and further, enables termination of game display in accordance with an amount of such electronic money storage medium.

In view of the above, Applicants respectfully submit that Applicants' claims, as amended, patentably distinguish over Lucero.

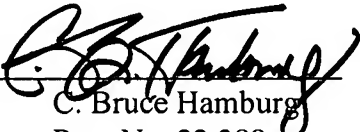
Applicant respectfully requests a one month extension of time for responding to the Office Action. **The fee of \$130 for the extension is provided for in the charge authorization presented in the PTO Form 2038, Credit Card Payment form, provided herewith.**

If there is any discrepancy between the fee(s) due and the fee payment authorized in the Credit Card Payment Form PTO-2038 or the Form PTO-2038 is missing or fee payment via the Form PTO-2038 cannot be processed, the USPTO is hereby authorized to charge any fee(s) or fee(s) deficiency or credit any excess payment to Deposit Account No. 10-1250.


In light of the foregoing, the application is now believed to be in proper form  
for allowance of all claims and notice to that effect is earnestly solicited.

Respectfully submitted,

JORDAN AND HAMBURG LLP

By   
C. Bruce Hamburg  
Reg. No. 22,389  
Attorney for Applicants

and,

By   
Brian H. Buck  
Reg. No. 48,776  
Attorney for Applicants

Jordan and Hamburg LLP  
122 East 42nd Street  
New York, New York 10168  
(212) 986-2340